IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2756 of 2007

M/S. MANGLAM AGENCIES
V/S
CIVIL JUDGE(S.D.),UDAIPUR & ANR.

Mr. JK BHAIYA, for the appellant / petitioner

Date of Order : 2.7.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

By the impugned order dated 3.8.2006, the learned trial Court has closed the right of cross-examination on the ground that the affidavit was produced about one year back, and number of opportunities had been granted. Suffice it to say that the impugned order was passed way-back on 3.8.2006, and the case had been adjourned on more than ones, and the present writ petition had been filed as late as on 18.4.2007. May be that the period of limitation may not apply, but then to find out, as to whether the suit has registered any material progress during this interregnum period, vide order dated 30.5.2007, the learned counsel was directed to produce the certified copy of the order-sheets, which he has failed to produce. It also transpires that vide order dated 3.8.2006, the plaintiff's evidence had been closed, in these circumstances, in my view, the impugned order does not require any interference in my writ

jurisdiction. Therefore, the writ petition is dismissed summarily. However, it is made clear that it will be open to the petitioner to assail the correctness, legality, or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised.

(N P GUPTA),J.

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